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Magistrate Judge James P. Donohue

AUG 16 2018

AT SEATTLE  
CLERK U.S. DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
BY DEPUTY

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

IN THE MATTER OF THE  
EXTRADITION OF JITESH BHOGAL

NO. **MJ18-373**

COMPLAINT FOR PROVISIONAL ARREST  
WITH A VIEW TOWARDS EXTRADITION  
(18 U.S.C. § 3184)

I, the undersigned Assistant United States Attorney for the Western District of Washington, being duly sworn, state on information and belief that the following is true and correct:

1. In this matter, I represent the United States in fulfilling its treaty obligation to Canada.
2. There is an extradition treaty in force between the United States and Canada, the Treaty on Extradition Between the United States of America and Canada, U.S.-Can., Dec. 3, 1971, 27 U.S.T. 983, *as amended by* the Protocol Amending the Extradition Treaty with Canada, U.S.-Can., Jan. 11, 1988, S. TREATY DOC. NO. 101-17 (1990), *and the* Second Protocol Amending the Extradition Treaty with Canada, U.S.-Can., Jan. 12, 2001, S. TREATY DOC. NO. 107-11 (2002) (collectively, the "Treaty").
3. The Treaty provides in Article 11 for the provisional arrest and detention of

COMPLAINT FOR PROVISIONAL ARREST - 1  
USAO #2018R01010

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1 | alleged fugitives pending the submission of a formal request for extradition and  
2 | supporting documents.

3 | 4. In accordance with Article 11 of the Treaty, the Government of Canada has asked  
4 | the United States for the provisional arrest of Jitesh Bhogal (“BHOGAL”), with a view  
5 | toward his extradition.

6 | 5. According to the information provided by the Government of Canada, BHOGAL  
7 | is charged in that country with the following offenses: (i) First degree murder, contrary  
8 | to Criminal Code of Canada (the “CCC”) § 235(1); (ii) breaking and entering into a  
9 | dwelling house, contrary to CCC § 348(1)(b); (iii) sexual assault, contrary to CCC §  
10 | 273(1); and (iv) aggravated sexual assault, contrary to CCC § 246(a).

11 | 6. These offenses were committed within the jurisdiction of Canada. On August 5,  
12 | 2018, Justice M. Rawling, Justice of the Peace in the City of Windsor, Province of  
13 | Ontario, issued a warrant for BHOGAL’s arrest on the basis of the following facts:

14 |         a. On Sunday, June 10, 2018 at approximately 7:58 PM, the Windsor  
15 | Police Service (“WPS”), in Windsor, Ontario, received a call reporting a death at  
16 | 1382 University Avenue West, Unit 7 (the “Victim’s residence”). The caller, KQ,  
17 | reported that the resident of Unit 7, AT (“AT” or the “Victim”), age 31, was not  
18 | breathing and was cold to the touch. During the call, CS identified himself as AT’s  
19 | ex-boyfriend and the father of their 9-year old son, GS.

20 |         b. CS reported that AT had not answered his calls or text messages  
21 | during the day, which was out of character. He and AT share a son, GS, were best  
22 | friends, and communicated on a daily basis. When he received a text from GS  
23 | saying “mommy won’t wake up,” he and KQ drove to the apartment and found AT.

24 |         c. CS reported that on Saturday, June 9, 2018, at approximately 6:00  
25 | p.m., he took AT and GS shopping, which WPS later confirmed with store  
26 | surveillance footage. At 7:30 p.m., he dropped AT and GS off at home. From CS  
27 | and AT’s cell phones, the WPS confirmed that CS and AT exchanged text messages  
28 | throughout the night and into the early hours of Sunday June 10, 2018. In two

1 photos that AT sent to CS at 11:52 p.m. and 11:53 p.m., she appears to be alone,  
2 lying on her bed, with headphones in her ears. At 12:37 p.m. AT and CS exchanged  
3 their last messages. WPS later determined, from a forensic examination of AT's  
4 laptop, that at 1:51 AM, AT searched YouTube for a music compilation and began  
5 watching a video. There is no indication that AT left her building after being  
6 dropped off by CS.

7 d. When WPS officers entered Unit 7 on June 10, 2018, at  
8 approximately 8:07 PM, they observed the VICTIM's corpse lying on a bed in one  
9 of the unit's two bedrooms. The Victim was covered with a blanket to the mid-  
10 chest, and appeared to have dried blood over her nose and mouth. There was a  
11 bruise on the inside portion of her left bicep and redness around her neck and  
12 clavicle. A cellular telephone and laptop computer were on the mattress next to her  
13 head.

14 e. According to GS, on Saturday, June 10, 2018, during the overnight  
15 hours, an unknown male entered his bedroom and told him to stay in bed and go to  
16 sleep. GS had never seen the man before, but he was tall, had dark hair and a beard,  
17 and was wearing a black shirt. GS heard a girl screaming sometime after the man  
18 entered his room, but did not get up to investigate because he was scared. On Sunday  
19 morning, GS awoke to find that AT was still in bed, so he spent the day eating  
20 cookies and watching videos. In the evening, he heard an alarm on AT's phone,  
21 which meant it was time for him to shower. He entered his mother's bedroom, but  
22 could not wake her up. He used AT's phone to send a text message to his father  
23 (CS), who then came to the apartment.

24 f. On June 13, 2018, the WPS interviewed Michelle Altman  
25 ("ALTIMAN"), who lived at 1372 University Avenue West, next door to the  
26 Victim's residence. According to ALTIMAN, after 2 AM on June 10, 2018, her  
27 boyfriend, Jake Thompson ("THOMPSON"), returned to their apartment with a  
28 man who initially called himself "Bob." The man drove a newer-model, dark-

1 colored sport utility vehicle (SUV), and wanted to purchase cocaine and hire a  
2 prostitute. ALTIMAN and THOMPSON planned to help the man buy cocaine, and  
3 then rob him. The man was tall, thin, "Arab" male dressed nicely, in dress pants  
4 and a vest.

5 g. Just before 3 AM, the man, ALTIMAN, and THOMPSON drove in  
6 the man's SUV to a TD Canada Trust (TD) branch on Wynandotte Street West,  
7 where the man entered the vestibule and used the automated-teller machine (ATM)  
8 to withdraw cash. The man was not familiar with the area, and ALTIMAN provided  
9 directions as they drove around that night. While in the SUV, ALTIMAN noticed  
10 that when the man put his phone in the console, it flashed "Jay's iPhone"; thereafter,  
11 ALTIMAN referred to the man as "Jay."

12 h. ALTIMAN then used Jay's cellular telephone to contact her drug  
13 dealer (the "dealer") and arranged to purchase a quantity of cocaine. WPS  
14 investigators later determined from cell phone records that the call was made from  
15 telephone number 425-248-0708, later identified as belonging to Jitesh BHOGAL  
16 (*see infra*). ALTIMAN arranged for a "fifty" and an "eight ball." A "fifty" is a half  
17 gram of cocaine, commonly sold for \$50 CAD. An 8-Ball is 3.5 grams of cocaine  
18 that is generally sold for approximately \$250 CAD.

19 i. The three then drove in Jay's SUV to a nearby McDonald's restaurant,  
20 where they met the dealer. ALTIMAN walked around the McDonald's and  
21 retrieved a sample of the drugs from the dealer for Jay to try. She returned to the  
22 vehicle and, after receiving Jay's approval of the sample, purchased a "fifty" and  
23 "8-ball." According to surveillance video from the McDonald's store, which  
24 ALTIMAN identified, the transaction ALTIMAN described occurred from 3:06  
25 AM to 3:25 AM.

26 j. After ALTIMAN returned to Jay's vehicle, they drove back toward  
27 1372 University Avenue West. ALTIMAN directed Jay to park in the rear lot of the  
28 Victim's residence. While parked, ALTIMAN set up 4-5 lines of cocaine on the

1 center console of Jay's vehicle. ALTIMAN and THOMPSON each consumed one  
2 line of cocaine, then grabbed the "8-ball" and went to their apartment. Jay remained  
3 in the parking lot for some time, shouting for ALTIMAN to come back with the  
4 drugs.

5 k. At approximately 4:30 AM, ALTIMAN looked out her window and  
6 saw Jay's SUV still parked behind the Victim's apartment building. Thinking Jay  
7 may have fallen asleep in the vehicle, ALTIMAN approached the SUV with the  
8 intent to steal from it, but it was locked and Jay was not inside. When ALTIMAN  
9 awoke around 5:30 AM, Jay's SUV was still there, but when she checked again 45  
10 minutes later, it was gone.

11 l. According to the WPS, access to the Victim's apartment building was  
12 controlled with locked doors on the ground floor, and the door of Unit 7, on the third  
13 floor, showed no evidence of forced entry. The building, and the Victim's  
14 apartment, had an exterior balcony, with black iron railings. The building was  
15 constructed of brick, and the corner portion was quoined, creating potential  
16 foot/hand holds that would make it possible for someone to climb from one balcony  
17 to another. In the parking lot behind the building, the WPS observed a black Dodge  
18 SUV, which had what appeared to be a dusty footwear impression on the driver's  
19 side above the back passenger door, and another possible footwear impression on  
20 the roof of the vehicle. Based on the SUV's location, the quoined portion of the  
21 building, and the location of the balconies, the WPS concluded that a person could  
22 have climbed from the top of the SUV onto an exterior balcony. Officers also  
23 observed a piece of concrete on the ground next to the driver's side door. The  
24 concrete appeared to have fallen from the balcony of Unit 7, as there was damage  
25 to a section along the northwest corner of the balcony's floor.

26 m. On June 11, 2018, Dr. Elena Tugaleva ("Dr. TUGALEVA")  
27 conducted an autopsy of AT at the London Health Sciences Centre in Ontario. She  
28 observed the following on the Victim: multiple head and facial bruises; blunt force

1 trauma; bruises; abrasions to the forehead, bilateral cheeks, nose, and mouth; oral  
2 bruises; superficial lacerations; sub-scalp hemorrhages; bruising to the upper neck;  
3 and soft tissue hemorrhages. She also observed possible neck compression and  
4 blunt force trauma to the neck, along with mucosal petechial hemorrhages, which  
5 were non-specific but could be related to smothering/neck compression. Other blunt  
6 force trauma on the Victim included bruises to her torso and upper and lower  
7 extremities. The autopsy confirmed sexual assault (vaginal and anal), causing  
8 injuries, including bruising to the vulva, superficial lacerations, and perianal  
9 bruising. Although Dr. TUGALEVA could not provide a specific anatomical cause  
10 of death, she concluded that the death was not natural or a suicide and was homicide.

11 n. During autopsy proceedings, swabs of AT's body were taken and sent  
12 to the Centre of Forensic Sciences (CFS) for DNA testing. Among those was a  
13 sample taken from a skin swab of AT's right breast.

14 o. On June 19, 2018, the WPS obtained transaction and video  
15 surveillance records from TD Canada Trust (TD) for the ATM located 2110  
16 Wyandotte St. West, Winsor, Ontario, from between approximately 2 and 4 AM on  
17 the morning of June 10, 2018. The transaction records for that date and time show  
18 a withdrawal using Bank of America ("BOA") access card number 5491-7000-  
19 0453-\*\*\*\*.

20 p. The TD Bank (Wynadotte) surveillance from June 10, 2018, shows a  
21 man enter the bank vestibule at 3 AM and conduct a transaction shortly thereafter.  
22 The man is tall and appears slender, with medium to short length, dark hair and  
23 medium-dark skin, a broad forehead, a distinctive hairline, and a beard, wearing a  
24 button-down shirt and a dark vest. This photo matched the description of "Jay"  
25 provided by ALTIMAN, including that he was wearing a vest.

26 q. Video surveillance from a location across the street from that TD  
27 Bank ATM shows a dark SUV, with three persons arriving at 2:59 AM and then  
28 exiting the parking area at 3:04 AM.

1           r.       According to information from BOA, access card number 5491-7000-  
2       0453-\*\*\*\* (redacted) was issued to a customer with an address in Canton, Michigan  
3       with the surname "BHOGAL." (BOA was not willing to provide a first name or  
4       additional information without a court order.)

5           s.       ALTIMAN provided the WPS with the telephone number of the  
6       dealer who sold the cocaine to her in the early morning of June 10, 2018. WPS then  
7       obtained records for the dealer's telephone number (226-246-4725). Records from  
8       the provider, Freedom Mobile, show incoming calls from 425-248-0708, the first of  
9       which occurred at 2:53 AM on June 10, 2018. U.S. Department of Homeland  
10      Security, Homeland Security Investigations ("HSI") agents determined that 425-  
11      248-0708 is serviced by T-Mobile, and obtained subscriber records showing that  
12      425-248-0708 is registered to Jitesh BHOGAL.

13          t.       Using the name "Jay" provided by ALTIMAN, and the last name  
14      BHOGAL, provided by BOA, WPS officers conducted an open source internet  
15      search for "Jay BHOGAL" and "Jitesh BHOGAL." They identified a Facebook  
16      account in the name of "Jitesh BHOGAL," compared the profile photo from that  
17      account (posted to Facebook on September 4, 2016) with still photos taken from the  
18      June 10, 2018, TD bank surveillance, and determined that the photos depicted the  
19      same individual.

20          u.       The WPS requested HSI's assistance to obtain additional information  
21      regarding Jitesh BHOGAL. U.S. Customs and Border Protection ("CBP") located  
22      records for "Jitesh BHOGAL," a Canadian citizen, born October 26, 1990, with an  
23      address of 1725 Inman Road, Canton, Michigan. BHOGAL has a valid U.S. work  
24      visa, and is employed in Detroit, Michigan.

25          v.       CBP records show that BHOGAL departed Detroit, Michigan, for  
26      Windsor, Ontario, on June 10, 2018, at 2:16 AM. He then crossed back into the  
27  
28



1 United States using a NEXUS<sup>1</sup> card at the Windsor-Detroit Tunnel on June 10,  
2 2018, at 7:15 AM, driving a dark-colored 2018 Honda Pilot SUV, bearing Michigan  
3 plate number DWV9676 (the "Pilot SUV"). There is a video recording of BHOGAL  
4 entering the United States in the Pilot SUV.

5 w. Michigan vehicle registration records showed that Jitesh BHOGAL,  
6 date of birth October 26, 1990, registered a 2018 Honda Pilot SUV, Michigan  
7 license plate number DWV9676, on June 1, 2018. BHOGAL also has a second  
8 vehicle registered to him, a 2007 white Toyota Camry, Michigan license plate  
9 number DKG6649 (the "White Camry").

10 x. HSI agents located records for a Michigan driver's license, number  
11 B240414020825, issued to JITESH BHOGAL (date of birth October 26, 1990) on  
12 December 1, 2015, with an address of 1725 Iman Road, Canton, Michigan (the  
13 "BHOGAL's Michigan Driver's License"). On July 3, 2018, Jitesh BHOGAL (date  
14 of birth October 26, 1990) applied for a driver's license in Washington State, and  
15 was issued license number NN97184140, with an address of 12909 SE 27<sup>th</sup> St.,  
16 Kent, Washington ("BHOGAL's Washington State Driver's License").

17 y. On June 19, 2018, Jennifer McLean ("McLEAN"), a forensic scientist  
18 at the Centre of Forensic Sciences ("CFS") in Ontario, recorded the trace evidence  
19 examined from samples taken during AT's autopsy, including a sample taken from  
20 AT's right breast. Based on the examination of that item, McLEAN concluded that  
21 the sample contained a mixture of the Victim's DNA and DNA from an unknown  
22 male contributor.

23  
24  
25  
26 <sup>1</sup> NEXUS is a joint Canada Border Services Agency and U.S. Customs and Border Protection operated Trusted  
27 Traveler and expedited border control program designed for pre-approved, low-risk travelers. Members of the program  
28 can avoid long waits at border entry points by using reserved lanes at land crossings into Canada and the United States  
(including from Mexico), by using self-serve kiosks at airports in Canada, the US and some international locations, or  
by phoning border officials for a marine entry.



1           z.     On July 26, 2018, at the request of the WPS, HSI Special Agent  
2     ("SA") Zach KEEN and a team of HSI agents conducted surveillance on BHOGAL  
3     and observed BHOGAL driving the White Camry at approximately 4:40 PM, to the  
4     Kuhnenn Brewery at 5919 Chicago Road, in Warren, Michigan. HSI agents  
5     entered the brewery and witnessed BHOGAL drinking from a goblet-style glass 8  
6     to 12 times, while socializing. HSI SA KEEN and others identified BHOGAL as the  
7     same individual depicted in the BHOGAL's Michigan Driver's License,  
8     BHOGAL's Washington State Driver's License, and the TD Bank surveillance  
9     video from June 10, 2018.

10           aa.    After BHOGAL departed, leaving the glass on the table, HSI agents  
11    retrieved the glass, which they secured and then turned over to the WPS. WPS  
12    forensic examiners obtained a DNA profile from the glass, which they compared to  
13    the unknown male DNA profile obtained from the swab of AT's breast, and  
14    determined that the two were a match.

15           bb.    According to information provided by HSI, BHOGAL is employed  
16    Detroit, Michigan. He has changed his pattern of travel between the United States  
17    and Canada since AT's murder on June 10, 2018. Previously, between June 5 and  
18    June 10, 2018, BHOGAL crossed the Windsor-Detroit crossed daily. Since  
19    departing Windsor on June 10, 2018, however, BHOGAL has not re-entered  
20    Canada.

21           cc.    According to cell phone location data gathered by HSI pursuant to a  
22    judicially authorized warrant for BHOGAL's cell phone (425-248-0708), he  
23    traveled to Washington State some time prior to July 5, 2018, and remained there  
24    until he flew to Detroit, Michigan, on July 14, 2018. BHOGAL's parents reside at  
25    12909 Southeast 257th Street, in Kent, Washington. HSI surveillance at that address  
26    determined that BHOGAL drove his Pilot SUV to Washington State and left it there  
27    when he returned to Michigan. BHOGAL obtained his aforementioned Washington  
28

1 State driver's license on July 3, 2018, on the representation that he was relocating  
2 to Washington State.

3 dd. BHOGAL also appears to have changed his appearance. Photos of  
4 BHOGAL entering the U.S. on June 10, 2018, the TD Bank surveillance from June  
5 10, 2018, and the photo on BHOGAL's Michigan driver's license show him with a  
6 beard, and photo on BHOGAL's Michigan driver's license photo shows him with  
7 brown eyes. In the photo taken for BHOGAL's Washington State driver's license  
8 on July 3, 2018, however, BHOGAL has shaved his beard and appears to have blue  
9 eyes, which law enforcement presumes to be corrective lenses.

10 ee. HSI surveillance observed BHOGAL driving the White Camry  
11 between July 15, 2018, and July 17, 2018, between a residence at 21405 John Drive  
12 and his place of employment in Warren, Michigan.

13 7. The offenses with which BHOGAL is charged are provided for in Article 2 of the  
14 Treaty.

15 8. BHOGAL is employed in Warren, Michigan, and has been a resident of Michigan  
16 since at least 2016, but since the murder, he has been spending significant time at the  
17 address of his parents, Vijay BHOGAL and Naresh BHOGAL, at 12909 Southeast 257th  
18 Street, Kent, Washington.

19 9. U.S. Department of Homeland Security, Homeland Security Investigations  
20 ("HSI") Detroit Special Agent (SA) CIRANNI has been tracking the location of  
21 BHOGAL's U.S. cellular telephone since early July, 2018, and thereby traced BHOGAL  
22 to Washington from July 5, 2018 through July 12, 2018. During that time, law enforcement  
23 was surveilling BHOGAL in Washington State, and saw his 2018 PILOT SUV, which  
24 BHOGAL was driving on the night of AT's murder, parked in the driveway of his parent's  
25 residence. As of August 15, HSI SA CIRANNI confirmed that BHOGAL's cell phone is  
26 still actively tracing to Kent, Washington.

27 10. Washington Department of Motor Vehicles records show that Jitesh BHOGAL  
28 obtained a Washington State driver's license on July 3, 2018. Although the official data

1 matches the data that on BHOGAL's Michigan drivers' license (*i.e.*, that he is 6' 3" tall,  
2 with black hair and brown eyes), BHOGAL wore blue contact lenses for his Washington  
3 driver's license photograph.

4 11. The Government of Canada has represented that it will submit a formal request for  
5 extradition supported by the documents specified in the Treaty, within the time required  
6 under the Treaty.

7 12. BHOGAL would be likely to flee if he learned of the existence of a warrant for his  
8 arrest.

9 13. WHEREFORE, the undersigned requests that a warrant for the arrest of the  
10 aforementioned person be issued in accordance with 18 U.S.C. § 3184 and the Treaty, and  
11 that this complaint and the warrant be placed under the seal of the Court, except as  
12 disclosure is needed for its execution, until such time as the warrant is executed.

13 DATED this 16th day of August, 2018.

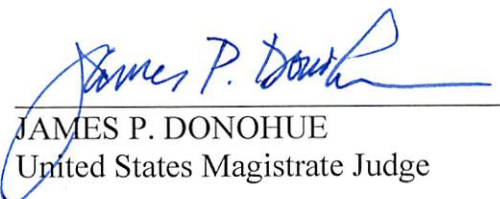
14 Respectfully submitted,

15 ANNETTE L. HAYES  
16 United States Attorney

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18

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25 Sworn to before me and subscribed in my presence this 16<sup>th</sup> day of August, 2018,  
26 at Seattle, Washington

27   
28 JAMES P. DONOHUE  
United States Magistrate Judge